

Tennis, Rachel

From: Tennis, Rachel
Sent: Monday, January 27, 2014 4:33 PM
To: Nicholas W. van Aelstyn
Subject: RE: EPA Response to State Lands Commission
Attachments: RE: EPA Response to State Lands Commission

Nico,

Please see point 2 in the attached email. If I hear anything new, I will let you know.

Regards,
Rachel

Rachel Tennis
US EPA Region 9
Office of Regional Counsel
75 Hawthorne Street
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San Francisco, CA 94105
(415) 972-3746
tennis.rachel@epa.gov

From: Nicholas W. van Aelstyn [mailto:NvanAelstyn@bdlaw.com]
Sent: Monday, January 27, 2014 3:46 PM
To: Tennis, Rachel
Subject: RE: EPA Response to State Lands Commission

Hi Rachel,

As it's been more than two months now, I'm just pingping to see if you were able to get the 2012 sampling data from Cal Parks, the Parks Foundation or the Regional Board. As I wrote to you back on November 7,

I find it striking both that DPR can hide behind a private organization, CSPF, and that CSPF – which has participated in all of the TSC meetings – should withhold data from EPA that clearly is relevant to the remediation of the Site, despite repeated requests that it be shared. I encourage EPA to demand the production of this information, perhaps by sending a 104e information request to CSPF or asking the Regional Board to demand the production of the data as part of its oversight of the wetlands mitigation project.

Thanks in advance for any news that you can share.

All best,

Nico

Nicholas W. van Aelstyn

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Please consider the environment before printing this e-mail.

From: Tennis, Rachel [<mailto:Tennis.Rachel@epa.gov>]
Sent: Thursday, November 14, 2013 2:34 PM
To: Nicholas W. van Aelstyn
Subject: EPA Response to State Lands Commission

Nico:

Please find attached a copy of EPA's response to the State Lands Commission's letter of June 5, 2013. The letter and attachments were sent today by U.S. Mail.

Thank you for sending the CD of aerial photos, which I have shared with Craig Cooper. I also received your email about the 2012 Parks Foundation data. EPA would not be willing to issue a 104(e) without first exhausting informal options, but I will work on requesting the data from the Water Board and will let you know what I hear.

Regards,
Rachel

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For further information, please contact the EPA Call Center at (866) 411-4EPA (4372). The TDD number is (866) 489-4900.

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